

1 BILL NO. R-80-09-10

2 RESOLUTION NO. R- 79-80

3  
4 A RESOLUTION finding, determining and  
5 ratifying an Inducement Resolution of  
6 the Fort Wayne Economic Development Com-  
7 mission authorizing the issuance and sale  
8 of \$350,000.00 Economic Revenue Bonds of  
9 the City of Fort Wayne, Indiana, for the  
10 purpose of inducing the Applicants, Herbert  
11 P. and Alice M. Hatfield, to proceed with  
12 the acquisition, construction and equipping  
13 of the project.

14 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer")  
15 is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue  
16 bonds for the financing of economic development facilities, the  
17 funds from said financing to be used for the acquisition, con-  
18 struction and equipping of said facilities, and said facilities  
19 to be either sold or leased to another person or directly owned  
20 by another person; and

21 WHEREAS, Herbert P. and Alice M. Hatfield (the "Applicant")  
22 have advised the Fort Wayne Economic Development Commission and  
23 the Issuer that it proposes that the Issuer lease the same to  
24 the Applicant or loan proceeds of an economic development fi-  
25 nancing to the Applicant for the same, said economic develop-  
26 ment facility to be a 16.29 acre site located on Indiana State  
27 Highway #33, about three miles South of Churubusco, and a con-  
28 crete ready-mix plant and equipment to be erected thereon, for  
29 lease to Keystone Concrete, Inc. (the "Project"); and

30 WHEREAS, the diversification of industry and an increase  
31 in approximately five job opportunities to be achieved by the  
32 acquisition, construction and equipping of the Project will  
33 be of public benefit to the health, safety and general welfare  
34 of the Issuer and its citizens; and

35 WHEREAS, having received the advice of the Fort Wayne  
36 Economic Development Commission, it would appear that the

financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF FORT WAYNE, INDIANA:

SECTION 1. The Common Council finds, determines, ratifies and confirms the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

SECTION 2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed \$350,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purpose referred to above, in accordance with the Act.

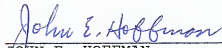
SECTION 3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions

pursuant to the Act as may be required to implement the afore-  
said financing, or as it may deem appropriate in pursuance  
thereof, provided that all of the foregoing shall be mutually  
acceptable to the Issuer and the Applicant; (ii) it will adopt  
such ordinances and resolutions and authorize the execution and  
delivery of such instruments and the taking of such action as  
may be necessary and advisable for the authorization, issuance  
and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the  
passage of this Inducement Resolution, including reimburse-  
ment or repayment to the Applicant of moneys expended by the  
Applicant for planning, engineering, interest paid during con-  
struction, underwriting expenses, attorney and bond counsel  
fees, acquisition, construction and equipping of the Project  
will be permitted to be included as part of the bond issue to  
finance said Project, and the Issuer will thereafter either  
sell or lease the same to the Applicant or loan the proceeds  
of such financing to the Applicant for the same purposes.

  
COUNCILMAN

APPROVED AS TO FORM AND  
LEGALITY SEPTEMBER 5, 1980.

  
JOHN E. HOFFMAN  
City Attorney

Read the first time in full and on motion by Starr, seconded by East, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 9, the 9, 1980, at 9 o'clock M., E.S.T.

DATE: 9-9-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Gia Quonta, seconded by East, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>      </u>	<u>      </u>	<u>1</u>	<u>      </u>
<u>BURNS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>EISBART</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>NUCKOLS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, D.</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, V.</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>	<u>      </u>
<u>TALARICO</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 9-23-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (RESOLUTION) No. B-79-80 on the 23rd day of September, 1980.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)  
Vivian G. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1980, at the hour of 2:30 o'clock P. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 26th day of Sept. 1980, at the hour of 4 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. R-80-09-10

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN

~~ORDINANCE~~ XXXXXXXXXX A RESOLUTION finding, determining and ratifying an Inducement

Resolution of the Fort Wayne Economic Development Commission authorizing  
the issuance and sale of \$350,000.00 Economic Revenue Bonds of the City  
of Fort Wayne, Indiana, for the purpose of inducing the Applicants,  
Herbert P. and Alice M. Hatfield, to proceed with the acquisition,  
construction and equipping of the project

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

*For the*  
*Mark Giaquinta*  
*Ben Eisbart*  
*Paul M. Burns*  
*Donald J. Schmidt*

9  
DATE CHARLES W. WESTERMAN, CITY CLERK

5-23-80 CONCURRED IN  
DATE CHARLES W. WESTERMAN, CITY CLERK

REPORT OF THE FORT WAYNE ECONOMIC DEVELOPMENT  
COMMISSION CONCERNING THE PROPOSED FINANCING  
OF ECONOMIC DEVELOPMENT FACILITIES FOR  
HERBERT P. AND ALICE M. HATFIELD

Having been furnished certain data by the above applicant, and having had discussions with representatives of said applicant, the Fort Wayne Economic Development Commission now submits the following report pursuant to Indiana Code 18-6-4.5-16.

Description of Proposed Facilities

A 16.29 acre site located on Indiana State Highway #33, about 3 miles  
South of Churubusco, and a concrete ready-mix plant and equipment to  
be erected thereon, for lease to Keystone Concrete, Inc.

Estimate of Public Services Required

Applicant will install septic system and well.  
~~All public services, including water and sewage, now exist.~~ No public facilities will be made necessary on account of the proposed facilities.

Total Project Cost

The total project cost for the purchase, construction and equipping of the facilities is estimated to be \$ 350,000.00, including costs of issuance of the economic development revenue bonds.


Number of Jobs and Estimated Payroll

It is anticipated there will be approximately 5 new jobs created by this project with an estimated payroll increase of approximately \$ 75,000.00 annually.

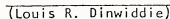
Adverse Competitive Effect

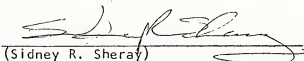
The construction of the facilities will not have an adverse competitive effect on any similar facilities already constructed or operating in or near Fort Wayne, Indiana.


Dated this 22nd day of August, 1980.

  
(Wayne P. Simerman)

  
(Jack Green)

  
(Louis R. Dinwiddie)

  
(Sidney R. Shera)

  
(Donald B. Fisher)

MINUTES OF A MEETING OF THE  
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

8/22, 1980

The Fort Wayne Economic Development Commission held a meeting on August 22, 1980, at 11:00 o'clock A.M. at the City-County Building in the City of Fort Wayne, Indiana, notice of the time and place of such meeting having been duly given to the Commission members by John E. Hoffman and duly published. The Commissioners were present or absent as indicated:

Present: Wayne P. Simerman, Sidney Sheray, Jack  
Gren and Donald B. Fisher

Absent: Louis Dinwiddie

The meeting was called to order by Wayne P. Simerman, the  
President.

Thereupon, consideration was then given to an application for approval of project proposed for economic development revenue bond financing by Herbert P. Hatfield and Alice M. Hatfield (Hatfields) for the financing of certain economic development facilities in the County of Allen, Indiana. A discussion was had as to the proposal of the Hatfields concerning the financing of Hatfields economic development facilities.

The President then presented a proposed Report of the Fort Wayne Economic Development Commission entitled "Report of the Fort Wayne Economic Development Commission Regarding the Proposed Acquisition, Construction and Equipment of Economic Development Facilities for Herbert P. Hatfield and Alice M. Hatfield", which report is attached hereto and was discussed by the Commission members.

Commission Member Jack Gren moved and Commission Member Sidney Sheray seconded the adoption of the following resolution:

RESOLUTION OF INTENT AND PRELIMINARY APPROVAL  
REGARDING ECONOMIC DEVELOPMENT FACILITIES UNDER  
INDIANA CODE 1971, TITLE 18, ARTICLE 6, CHAPTER  
4.5, AND REGARDING INITIAL REPORT.

WHEREAS, the Fort Wayne Economic Development Commission (the "Commission") was created by Ordinance pursuant to authority granted by Title 18, Article 6, Chapter 4.5 of the Indiana Code of 1971, as amended (the "Act"); and

WHEREAS, the Commission was created to investigate, study and survey the need for and to recommend action to improve or promote employment opportunities, diversification of economic development facilities and pollution control facilities in and near Fort Wayne, Indiana; and

WHEREAS, Herbert P. Hatfield and Alice M. Hatfield ("Hatfields") have filed an application with the Commission to finance the acquisition, construction and equipment of a facility which will constitute an economic development facility resulting in new jobs as well as other benefits; and

WHEREAS, a proposed Report of the Fort Wayne Economic Development Commission entitled "Report of the Fort Wayne Economic Development Commission Concerning the Proposed Acquisition, Construction and Equipment of Economic Development Facilities for Herbert P. Hatfield and Alice M. Hatfield" has been prepared and presented to this Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION:

Section 1. That this Commission does hereby find that in order to improve and promote employment opportunities and diversification of economic development facilities in and near the City of Fort Wayne, Indiana (the "City"), the prosperity, economic stability, health and general welfare of the City and County of Allen (the "County") would be benefited by a financing agreement between the City and the Hatfields for the financing of the acquisition, construction and equipment of economic development facilities, and in particular, the Commission finds that the economic welfare of the City and County would be benefited by such an agreement with the Hatfields, for the financing of the acquisition, construction and equipment of the economic development facilities described in the application of the Hatfields, which application is attached hereto and made a part of the recommendation of the Commission to the Common Council of the City that an appropriate preliminary Ordinance be passed with respect to said economic development facilities.

Section 2. That this Commission will take all necessary formal actions which are required by the Act in connection with the financing of the proposed economic development facilities.

Section 3. That the recommendation herein is subject to the public hearing required by the Act.

Section 4. That the initial report of the Commission, in the form presented, with respect to the proposed economic development facilities is hereby approved and adopted, and an officer of this Commission is hereby authorized and directed to transmit such report to the Allen County Plan Commission, as required by the Act.

The roll being called upon the question of passage of the Resolution, the vote thereon resulted as follows:

AYES: All members yes

NAYS: None

ABSTENTIONS:

Whereupon, the motion was declared carried and the resolution adopted.

There being no further business to come before the meeting, the presiding officer, upon motion duly made, seconded and approved, declared the meeting to be adjourned.

  
President

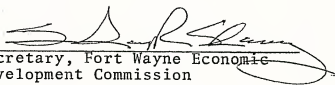
Attest:

  
Secretary

C E R T I F I C A T E

The undersigned, Secretary of the Fort Wayne Economic Development Commission hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of said Commission held August 22, 1980, to the extent the same relate to consideration and passage of the Resolution therein contained, and at such meeting a quorum of the members of the Commission for transacting business was present and acting throughout.

IN WITNESS WHEREOF, I have hereunto set my hand this 22  
day of August, 1980.

  
\_\_\_\_\_  
Secretary, Fort Wayne Economic  
Development Commission

Date August 14, 1980

To: John Hoffman, City Attorney

Subject: Attached EDC Application: Hatfield (Keystone Concrete Co.)


I have reviewed the application and financial statements of the applicant.

I find no problems with either document which should deter action by the Commission.

Frank W. Heyman  
City Controller

Attachment  
FWH/kme

## Memorandum

To Economic Development Commission Date Aug. 18, 1980  
From Kathy Moses, Senior Planner   
Subject Hatfield E.D.C. Bond

COPIES TO:

File

The proposed concrete plant does comply with the goals of the Allen County Overall Economic Development Program. The project will create five new jobs at a cost of \$70,000 per job. It will be located within Allen County, thus increasing Allen County's tax base.

Fort Wayne's Comprehensive Plan is not applicable in this case. The project is far beyond the City limits and the urban service area. It should be pointed out that the facility will be served by a private septic tank in lieu of public sewers.

The City has no jurisdiction for the zoning in this case. Allen County's Board of Zoning Appeals did approve this project with many conditions. Further information from the Allen County Plan Commission will be forthcoming in that zoning report.



Jack G. Suter • executive director • 219-423-7096

allen county plan commission • 630 city-county building • one main street • fort wayne, indiana • 46802

August 29, 1980

Mr. John E. Hoffman  
City Attorney  
1212 Anthony Wayne Bank Bldg.  
Fort Wayne, Indiana 46802

Dear Mr. Hoffman:

Re: E.D.C. Application  
Hatfield

We have reviewed your report for the proposed E.D.C. project on a 16.29 acre site on U.S. 33 for Keystone Concrete, Inc. The Allen County Board of Zoning Appeals approved a variance to permit the property to be utilized for ready-mix concrete production on January 9, 1980.

We would question the report where it states that public sewer and water facilities are existing at the site.

Cordially,

A handwritten signature in dark ink, appearing to read "Jack G. Suter", is written over the typed name.

Jack G. Suter

dew

9971 •

DIGEST SHEET

R-80-09-10

TITLE OF ORDINANCE: Inducement Resolution for an issue of \$350,000.00

DEPARTMENT REQUESTING ORDINANCE: Economic Development Commission

SYNOPSIS OF ORDINANCE: A 16.29 acre site located on Indiana State High-  
way #33, about three miles South of Churubusco, and a concrete ready-mix  
plant and equipment to be erected thereon, for lease to Keystone Concrete,  
Inc. on application of Herbert P. and Alice M. Hatfield.

EFFECT OF PASSAGE: The erecting of a concrete ready-mix plant with the  
creation of five new jobs and an estimated payroll of \$75,000.00 annually.

EFFECT OF NON-PASSAGE: None of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): None.

ASSIGNED TO COMMITTEE: Finance